

REMARKS

Upon entry of this amendment, claims 1-33, including currently amended claim 28 and newly added claims 29-33, appear in the application for the Examiner's review and consideration. Applicant appreciates the Examiner's indication of allowability of the subject matter of claims 9, 10, 20 and 24-26.

Claims 1-8, 11-14, 16-19, 22, 23, 27 and 28 were rejected under 35 U.S.C. § 102(b) as being anticipated by Meury (JP 5-66014). These same claims were also rejected under 35 U.S.C. § 102(b) as being anticipated by LaForest et al. (U.S. Patent No. 6,046,528). The rejections based on Meury and LaForest are substantially the same, and accordingly, will be addressed together.

Independent claims 1, 16 and 22 all recite a piezoelectric ignition mechanism comprising, *inter alia*, an assembly having first and second members rotatable with respect to one another between an activated configuration and a deactivated configuration. Neither Meury nor LaForest discloses or suggests a piezoelectric mechanism having this feature. With regard to Meury, the Examiner cites to the "Constitution" (the English language abstract for Meury, which is in Japanese) for disclosure of an assembly having first and second members rotatable with respect to one another between an activated configuration and a deactivated configuration. This claimed feature, however, is not disclosed in the Constitution, nor is it shown in the figures of Meury. The "first and second members" of Meury, identified by reference numbers 2 and 1, respectively, in Figure 1, are not *rotatable* with respect to one another. This is because cam member 22, which is attached to "second body member" 1, abuts the planar exterior surface of "first body member" 2, and *prevents* rotation of the "first body member" 2 with respect to the "second body member" 1, as clearly shown in Figures 1 and 2 of Meury. Furthermore, nowhere does Meury disclose or suggest a "deactivated configuration" for the "first and second members," as recited by independent claims 1, 16 and 22. Rather, the structure of the ignition device disclosed in Meury is always in an "activated configuration," in which the plexor is capable of being driven toward the piezoelectric element with sufficient force to impact the piezoelectric element and cause it to produce a spark. Nowhere does Meury disclose an assembly having first and second members rotatable with respect to one another to a *deactivated* configuration, nor has the Examiner pointed to any such disclosure. Accordingly, applicant respectfully submits that the rejection of independent claims 1, 16 and 22, and their dependent claims, based on Meury should be withdrawn.

With respect to LaForest, the Examiner cites to the “top or bottom part” and the “bottom or top part” of Figures 1 through 3, as the “first and second members,” respectively. Similarly to Meury, however, the “top part” and the “bottom part” of Figures 1 through 3 of LaForest are *not* rotatable with respect to one another between an activated configuration and a deactivated configuration, as recited by independent claims 1, 16 and 22. Rather, the “top part” and the “bottom part,” or inner telescopic member 14 and outer telescopic member 12, are fixed from rotation with respect to one another by cam member 66, which is attached to inner telescopic member 14 and abuts the planar exterior surface of outer telescopic member 12. Furthermore, as with Meury, nowhere does LaForest disclose or suggest a “deactivated configuration” for the “first and second members,” as recited by independent claims 1, 16 and 22. For at least these reasons, applicant respectfully submits that the rejection of independent claims 1, 16 and 22, and their independent claims, based on LaForest should be withdrawn.

Independent claim 28 has been amended to recite a piezoelectric ignition mechanism comprising an assembly movable between an activated configuration and a deactivated configuration; a piezoelectric element associated with the assembly; and a plexor associated with the assembly, the plexor including at least one lug for engaging the assembly when the assembly is in the activated configuration, so that the plexor may be moved by the assembly to compress a biasing element, wherein when the assembly is in the deactivated configuration, the at least one lug is blocked from engaging the assembly. Neither Meury nor LaForest, nor any of the references of record, disclose or suggest a piezoelectric ignition mechanism having these features. That is, none of the references of record disclose or suggest an assembly movable between an activated configuration and a deactivated configuration . . . wherein when the assembly is in the deactivated configuration, the at least one lug is blocked from engaging the assembly. For at least this reason, applicant respectfully submits that amended independent claim 28 should be allowed. New dependent claims 29 through 33, which depend from claim 28, have been added to more fully cover the invention disclosed in the application. These dependent claims should be allowed based at least on their dependency from independent claim 28.

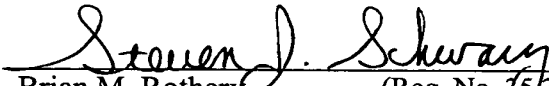
Applicant respectfully submits that all pending claims are allowable over the cited references, whether taken singly or in combination. Accordingly, this application is now in condition for allowance, early notice of which would be appreciated. Should the Examiner not agree that all claims are allowable, then a personal or telephonic interview is respectfully

requested to discuss any remaining issues and to accelerate the allowance of the above-identified application.

A fee transmittal sheet is being submitted herewith for the submission of five additional dependent claims. Should any other fees be required, please charge such fees to Pennie & Edmonds LLP deposit account no. 16-1150.

Respectfully submitted,

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